

REMARKS

I. Introduction

In response to the Office Action dated April 18, 2005, Applicants have amended claim 29 so as to delete the claim language "said blower being disposed so as to face perpendicular to said heat receiving face." New claims 36-38 are added so as to further clarify the position of the blower with respect to the heat receiving face. Support for these amendments can be found, for example, in Figs. 1B/1C, 6A/6B and 7A/7C, and their corresponding sections of the specification. No new matter has been added.

For the reasons set forth below, Applicants respectfully submit that all pending claims are patentable over the cited prior art references.

II. Telephonic Interview

In order to expedite prosecution, Applicants' representative initiated a telephone interview with Examiner Leo. Applicant and Applicant's representative would like to thank Examiner Leo for his courtesy and professionalism in conducting a telephonic interview on July 13, 2005 and for his assistance in resolving issues. During the interview, Applicants' representative explained why the claims as currently written in relation to the protuberant heat conducting plate section overcome the pending rejections. In response, Examiner Leo has requested that the arguments be presented in a formal response, at which point he would reconsider the pending rejections. Also, Examiner Leo has tentatively agreed to consider new claims 36-47, which are believed to contain allowable subject matter as suggested by the Examiner during the interview.

III. The Rejection Of Claim 29 Under 35 U.S.C. § 102

Claim 29 is rejected under 35 U.S.C. § 102(b) as being anticipated by USP No. 5,353,863 to Yu. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 29 recites in-part a heatsink comprising a column having a heat receiving face, wherein the heat receiving face has *a protuberant heat conducting plate section* at least one part thereon.

In the pending rejection, the Examiner relies upon Figs. 1-3 of Yu as allegedly disclosing the foregoing claimed feature. However, as is apparent, Yu is completely silent with regard to placing a heat conducting plate on any side of the CPU cooling device. In this regard, it should be noted that this argument was presented in the previous Amendment filed November 12, 2004, and the pending Office Action has, again, inadvertently overlooked this claimed feature. As the pending rejection has not expressly identified the foregoing claimed feature in the cooling device of Yu, and Applicants have demonstrated that Yu does not utilize a heat conducting plate formed on the CPU cooling device, it is respectfully submitted that Yu does not disclose or suggest a heatsink comprising a column having a heat receiving face, wherein the heat receiving face has a *protuberant heat conducting plate section* at least one part thereon.

In contrast, in accordance with one exemplary embodiment of the present invention, as readily shown in Figs. 6(a) and 6(b), a heat conducting plate section 2a is formed on the whole face or portion of the heat receiving face where the heat producing element is mounted so that the air flow created by the cooling fan 4 can be effectively led to the surface of the fins 1 near the heat receiving face (see, page 16, line 31 and page 17, line 9 of the specification). As a result, the heat dissipating properties of the heatsink can be significantly improved.

Accordingly, as anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), and at a minimum, Yu fails to disclose or suggest the foregoing claim elements, it is clear that Yu does not anticipate claim 29.

IV. The Rejection Of Claim 29 Under 35 U.S.C. § 102

Claim 29 is rejected under 35 U.S.C. § 102(b) as being anticipated by USP No. 3,220,471 to Coe. Applicants respectfully traverse this rejection for at least the following reasons.

Claim 29 recites in-part a heatsink comprising a column having a heat receiving face, wherein the heat receiving face has *a protuberant heat conducting plate section* at least one part thereon.

In the pending rejection, the Examiner reads the surface of the mounting flange 13 as the claimed heating face. However, in doing so, it is clear from Fig. 1 that Coe does not disclose placing a heat conducting plate on any surface of the mounting flange 13. Accordingly, it is respectfully submitted that Coe does not disclose or suggest that the mounting flange 13 has a protuberant heating conducting plate, as recited by claim 29.

As anticipation under 35 U.S.C. § 102 requires that each element of the claim in issue be found, either expressly described or under principles of inherency, in a single prior art reference, *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 USPQ 781 (Fed. Cir. 1983), and at a minimum, Coe fails to disclose or suggest the foregoing claim elements, it is clear that Coe does not anticipate claim 29.

V. **The Rejection Of Claims 1, 5-6, 9, 15, 17, 19-21, 25-28 and 30-33 Under 35 U.S.C. § 103**

Claims 1, 5-6, 9, 15, 17, 19-21, 25-28 and 30-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Yu in view of USP No. 4,879,891 to Hinshaw. As claims 1, 15, 30 and 32-33 include the claimed feature “*a protuberant heat conducting plate section*” and Yu is also relied upon in this rejection, it is respectfully submitted that the argument presented above with respect to the rejection of claim 29 in view of Yu remains applicable for the alleged proposed combination of Yu and Hinshaw. In this regard, it should be noted that Hinshaw does not cure the defect of Yu, because Hinshaw is directed to a method of manufacturing a heat sink, which does not include forming a heat conducting plate thereon.

Based upon the foregoing, it should be apparent that even if the applied references are combined, the claimed invention would not result. Applicants, therefore, respectfully request that the rejection of claims 1, 15, 29, 30, 32 and 33 under 35 U.S.C. §103(a) for obviousness predicated upon Yu in view of Hinshaw be withdrawn.

VI. **The Rejection Of Claims 1, 5-7, 9, 15, 17, 19, 26-28 and 30-33 Under 35 U.S.C. § 103**

Claims 1, 5-7, 9, 15, 17, 19, 26-28 and 30-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Coe or USP No. 5,748,445 to North in view of Hinshaw. As Coe and Hinshaw are also relied upon in this rejection, it is respectfully submitted that the distinctions presented above with respect to the rejection of the pending claims in view of Coe and Hinshaw remain applicable for the alleged proposed combination of Coe or North in view of Hinshaw. Also, in this regard, it should be noted that North does not cure the defect of Coe and Hinshaw,

because North discloses only that the three corners 16 of the heat sink are adapted to attach the heat sink to the circuit enclosure so that the heat generated by the circuit board is transferred to the surrounding air by the cooling fans 12, and does not disclose or suggest utilizing a heat conducting plate for doing so.

Based upon the foregoing, it should be apparent that even if the applied references are combined, the claimed invention would not result. Applicants, therefore, respectfully request that the rejection of claims 1, 15, 29, 30, 32 and 33 under 35 U.S.C. §103(a) for obviousness predicated upon Coe or North in view of Hinshaw be withdrawn.

VII. The Rejection Of Claims 1, 4-9, 26, 28 and 30-32 Under 35 U.S.C. § 103

Claims 1, 4-9, 26, 28 and 30-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over North in view of Hinshaw. As North and Hinshaw are relied upon in this rejection, it is respectfully submitted that the distinctions presented above with respect to the rejections of the foregoing claims in view of Coe, North and Hinshaw remain applicable for the alleged proposed combination of North in view of Hinshaw. Accordingly, Applicants respectfully request that the rejection of claims 1, 15, 29, 30, 32 and 33 under 35 U.S.C. §103(a) for obviousness predicated upon North in view of Hinshaw be withdrawn.

VIII. All Dependent Claims Are Allowable Because The Independent Claims From Which They Depend Are Allowable

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are

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contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as independent claims 1, 15, 29, 30, 32 and 33 are patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also in condition for allowance.

IX. Conclusion

Accordingly, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited.

If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Date: July 18, 2005